

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 04-1230**

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LUCIENNE FRANCOIS,

Petitioner,

versus

JOHN D. ASHCROFT, Attorney General,

Respondent.

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On Petition for Review of an Order of the Board of Immigration Appeals. (A79-489-397)

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Submitted: November 22, 2004

Decided: December 14, 2004

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Before WILLIAMS and KING, Circuit Judges, and HAMILTON, Senior Circuit Judge.

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Petition denied by unpublished per curiam opinion.

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Martin A. Kascavage, SCHOENER & KASCAVAGE, P.C., Philadelphia, Pennsylvania, for Petitioner. Peter D. Keisler, Assistant Attorney General, John C. Cunningham, Senior Litigation Counsel, Rena I. Curtis, OFFICE OF IMMIGRATION LITIGATION, Washington, D.C., for Respondent.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Lucienne Francois, a native and citizen of Haiti, petitions for review of an order of the Board of Immigration Appeals denying her applications for asylum, withholding of removal, and protection under the Convention Against Torture (CAT).<sup>\*</sup> For the reasons discussed below, we deny the petition for review.

Francois asserts that she established eligibility for asylum by showing past persecution and a well-founded fear of future persecution. To obtain reversal of a determination denying eligibility for relief, an alien "must show that the evidence he presented was so compelling that no reasonable factfinder could fail to find the requisite fear of persecution." INS v. Elias-Zacarias, 502 U.S. 478, 483-84 (1992). We have reviewed the evidence of record and conclude that Francois fails to show that the evidence compels a contrary result. Accordingly, we cannot grant the relief that Francois seeks.

Additionally, we uphold the denial of Francois' application for withholding of removal. See Chen v. INS, 195 F.3d 198, 205 (4th Cir. 1999); INS v. Cardoza-Fonseca, 480 U.S. 421, 430 (1987). We thus deny the petition for review.

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<sup>\*</sup>Francois does not dispute the denial of relief under CAT.

We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED